

AO 440 (Rev. 8/01) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

Southern

District of

New York

Albertha Steed, Juval Steed, and Dantuine  
Turner

V.

City of New York, Tony Leon, John Fishetti,  
James Smith, Michael Ruzzi, et al.

## SUMMONS IN A CIVIL ACTION

CASE NUMBER: 07 CV 9839 (RMB)

TO: (Name and address of Defendant)

Officer James Smith (shield No. 08960)  
c/o NYPD, PSA 7  
737 Melrose Avenue  
Bronx, NY 10451

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Leventhal & Klein, LLP  
45 Main Street, Suite 230  
Brooklyn, NY 11201

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

**J. MICHAEL McMAHON**

CLERK

(By) DEPUTY CLERK

NOV 06 2007

DATE

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## RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE 2/13/08
NAME OF SERVER (PRINT) Luis Agustin	TITLE Process Server
Check one box below to indicate appropriate method of service	
<input type="checkbox"/> Served personally upon the defendant. Place where served: 40 NYFD, 737 Melrose Ave, Bronx, NY 10451	
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:	
<input type="checkbox"/> Returned unexecuted:	
<input checked="" type="checkbox"/> Other (specify): Served upon Sgt. Soderman # 2825, courier to the deft. M/W 3/48/6'0"/210	

## STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 2/14/08  
Date

Signature of Server

Luis Agustin - Lic # 1027732

3105 Ford St #902 Bronx, NY 10457  
Address of Server

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(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.